

1 Derrick Lee Sledge, P-43766
2 CTF / XW-121 L
3 P.O. Box 689
4 Soledad Calif. 93960
5 In Pro Se:

FILED

08 AUG 14 PM 2:44

U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

6 IN THE UNITED STATES DISTRICT COURT
7
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA
9
10
11 SAN FRANCISCO DIVISION

12 Derrick Lee Sledge
13 Plaintiff

C 07-4622 CRB (PR)

14 V

15
16 DAVID BALKIND, R. SCHNORE
17 J.T. WHITE, N.A. ELLIS, M. VELA
18 SR. STINSON, M. ARFA
19 AND JOHN MARSHALL

20 Ex Parte Motion
21 Request For Status
22 ON COURT APPOINTED
23 MARSHALL COMPLETION
24 ON SUMMONS SERVICES
25 ON ALL DEFENDANTS.

26 MOTION FOR A STATUS REPORT ect... ON THE
27 COMPLETION OF SUMMONS ON DEFENDANTS.
28

Due to CDCR/CTF, hardship living conditions,
it's extreme deprivation on law library access; And
now having this Plaintiff subject under

1 Deliberately Indifference - Mental Health
2 Discrimination ect... (See Attached Copy of Plaintiff
3 currently submitted CDCR-602 concerning that issue).

4 Forced mental Anguish has impaired Plaintiff
5 Abilities to comprehend that a defect may has
6 possibly occur to delay Plaintiff desire for a
7 prompt order for "Demand For Jury Trial" proceeding
8 for this matter !

9 Herein Plaintiff Respectfully Request for a
10 Summons Report And Copies of the Receipt of
11 Already Completed summons on all defendants in
12 this matter that's been served.

13 And if Appropriate Any other order this Court
14 deem is necessary to help Plaintiff understand on
15 what step to take next.

16
17 Date August 12, 2008

18 Respectfully Submitted

19
20 Derrick Lee Sledge

21 Derrick Lee Sledge

22 In Pro Se
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**PROOF OF SERVICE BY MAIL
BY PERSON IN STATE CUSTODY**

(C.C.P. §§ 1013(A), 2015,5)

I, DERRICK L. Sledge, declare:

I am over 18 years of age and I am party to this action. I am a resident of CORRECTIONAL TRAINING FACILITY prison, in the County of Monterrey, State of California. My prison address is:

DERRICK L Sledge, CDCR #: P-43766
CORRECTIONAL TRAINING FACILITY
P.O. BOX 689, CELL #: XW-121L
SOLEDAD, CA 93960-0689.

On August 12, 2008, I served the attached:

Ex Parte Motions Request for Status on Court Appointed
Marshell Completion ON Summons Services on def.

on the parties herein by placing true and correct copies thereof, enclosed in a sealed envelope (verified by prison staff), with postage thereon fully paid, in the United States Mail in a deposit box so provided at the above-named institution in which I am presently confined. The envelope was addressed as follows:

Office of the Clerk
U.S. District Court
Northern District of Calif.
450 Golden Gate Ave
SAN FRANCISCO CALIF. 94102

The original copy

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on August 12, 2008.

Derrick L Sledge
DERRICK L Sledge
Declarant

STATE OF CALIFORNIA
INMATE/PAROLEE HEALTH CARE
APPEAL FORM
CDCR 602-HC (6/08)

DEPARTMENT OF CORRECTIONS AND REHABILITATION
PRISON HEALTH CARE SERVICES

Side 1

Location: Institution/Parole Region: Log #:

Category:

1. _____

1. _____

1. _____

2. _____

2. _____

You may appeal any policy, action or decision which has a significant adverse affect upon you. This form shall be used when the policy, action or decision being appealed involves health care services (medical, dental, or mental health services). You must first informally seek relief through discussion with the appropriate staff member or by utilizing the health care service processes at you institution. If you are not then satisfied, you may send your appeal with all the supporting documents and not more than one additional page of comments to the Health Care Appeals Coordinator within 15 days of the action taken. No reprisals will be taken for using the appeals procedure responsibility.

Mental Health Discrimination

NAME	NUMBER	ASSIGNMENT	UNIT/ROOM NUMBER
DERRICK LEE SLEDGE	P-43766	UNASSIGN	X-wing/121L

A. Describe Problem: 7/27/2008, I was sdversely rehouse from general population too CTF-Soledad ASU/SHU-Housing; For a "Deliberately Indiffernce act," unwarranted , to impose, "Cruel and Unususal Punishment," Hardship and Inhumane Living Conditions," "Mental Health Discrimination" Violation of the Equal Protection Clauses," and "Deprived of Due Process Rights," Governed under both Calif./U.S. Constitutions.

Which such rehousing practice/policy and Officers retaliations, violate Courts rulings under: Farmer v Brennan; Wolff v McDonnell; Bell v Wolfish; Rhodes v Chapman, and Turner v Safley ect... FACTS: I've been "Prejudiceally" house into a significant dangerous, hostile

If you need more space, attach one additional sheet.

CONTINUE ON NEXT PAGE-

B. Action Requested: For the initial shock/unlawfulness- I should be awarded both compensatory AND punitive damages. CDCR should recall ect... my unlawful sentence, for depriving me fair peace of mind for the ability to litigate/advocate it myself. If force to stay in X-wing, I be assign as one of X-wing porter/ect...jobs, under no reprisal or and another job with a pay-number of \$40.00 ect...to assist with College books to help keep my mind away from- CONTINUE NEXT PAGE-

Inmate/Parolee Signature: Derrick L Sledge Date Submitted: August 5, 2008

C. INFORMAL LEVEL (Date Received _____)

Staff Response: _____

Staff Signature: _____ Date Returned to Inmate: _____

D. FORMAL LEVEL

If you are dissatisfied, explain below, attach supporting documents (Health Care Service Request Form, CDC 7362, Comprehensive Accommodation Chrono, CDC 7410, Trust Account Statement, etc.) and submit for processing to the Health Care Appeals Coordinator at your location within 15 days of receipt of response.

Signature: _____ Date Submitted: _____

CDCR Appeal Number

A. DESCRIBE PROBLEM CONTINUE:

racist, and non-rehab. ect... environment; solely because of my Mental Health Illnesses and voluntarily seeking CDCR "Triple CMS" treatment due to suffering over a 40-yr. period of depressive-disorders and post traumatic stress syndrome, both dysfunctions/disruptive to life causing my Custody to be suitably assigned with a S-Suffix under 15-CCR sect.3377.1(c); and Coleman v Schwarzenegg.

It's been no CDCR-Proviso that co-relates a S-Suffix i/m to be directly housed with ASU/SHU i/m's (See 15-CCR Article 6 and 7 ect...) Or any languages setting-forth in 15-CCR or D.O.M. ect...

And of yet has CDCR/CTF Administrations(s) produced some kind of "Memorandum" or issue its bulletin titled, "Notice of Change ect..." or procedurally submitted such arbitrary measures ^{to} the States APA requirement or adopted such a measure as an emergency through the OAL. A clear defiance to the Laws, merely to create mental impairment on me and many others.

CONTRARY TO GENERAL POPULATION: I'm daily being expose under armed coverage-(A GUNNER); contradictively to my level-2 custody. I'm denied equal program opportunities. I've been retaliated with pure hatred by ASU/SHU-Officers!! Retaliations because they can't take it out against Administrations Officials for theirs negligences and security discernment (See/- Attach Officers ect... submitted grievances on this matter). Moreso now disrupting these Officers liesure time!!

I'm being "used" for an example to discourage me/others from pursuant to such mental health treatment-(S-Suffix). Moreso now since Officers negligent causing this current Lock-Down Program, forcing many cellmate assault and more cellmate living discomfort actions to follow. (See/Attach all incident reports of the past months of cell fights/ect... and toilet-flushing grievances, for the past 7-wks.).

Hourly I'm being subjected to ASU/SHU racial politics; by way of racism chanting-to constitute torturous noise (Please record such chanting evaluate and document/attach). Hourly witnessing how most ASU/SHU-Hispanic Officers demonstrate the same racism as that of hispanic-i/m's ^{has} ~~has~~ toward Blacks(Please conduct a survey to support such facts). Holding in me now a psychological defect, causing me severe paranoia, for more added torment ect...

PHYSICAL AND MENTAL HEALTH DETERIORATION: Suddently from being "SHOCKED" of such Arbitrary Rehousing imposed on me has cause me emotional/mental irritation; It has enhanced my already Post Traumatic Stress /High Anxiet Conditions. My depression is unmanagerable, to cause me to possess an eating disorder; with the already deprivation from no out-doors sun/exercises-going on weeks, creating in me greater symptom of "High Blood-Pressure/"Diabetics"ect... (Please review medical report interview on 7/31/08 and attach).

I'm convince CDCR is purposely trying to drive me crazy-(Review mental health interview to be summarized/attach,on 8/1/08). As I grow daily with hopeleness with the Justice System for permitting such a prejudice sovereignty CDCR-Establishment, that can impose such numberance violations; Than prevent them violations from being explored/redress, by having authorization to address such 602-Complaints by the same co-worker, family and lovers that created these

OVER

violation; whom always seems to find ways to conceal enough guilt that eventually denies that inmate appropriate out-side JUSTICE!!!

B. ACTION REQUESTED CONTINUE:

ASU/SHU-hardship living/program and racial politics ect....^{Job Assignment} (Day-Labor/PIA). If to be ~~be~~ transfer it be done immediately to a facility that isn't going to try and do same measures I'm face with now, and I be immediately assigned there to ^A DAY-LABOR/PIA JOB. All other restrictions be removed such as my close-B. If rehoused back in GP I return to either EW/CW. All stated documents requested above become suitable and attached ^{AS} ~~at~~ exhibits in support of. ASU/SHU-Officers be convincingly instructed that it wasn't mines or others S-Suffix inmates faults to cause Administrations Officials to rehouse us in ^{there}. Officers prejudice need major correcting! I be allowed to add/amend this 602 at any time appropriate until I parole in hopes to prevent more retaliations^{from} being imposed on me. Any and all other relief that deem appropriate

DATED AUGUST 04, 2008.

RESPECTFULLY

Derrick L. Sledge

**EXECUTIVE BODY MEETING WITH ASSOCIATE WARDEN
PAGE 3**

Mr. White further stated, they were only approximately 600,000 gallons under the limit by adding the shower program. But they needed to be further under that limit. Mr. White also stated, the system would allow up to 24 flushes per hour, and that should be more than enough flushes for two cellmates. Chairman Rucker stated, the population was never made aware that the administration planed to install this system. There was no reply.

SCHEDULING A MEETING WITH OMBUDSMAN

Chairman Rucker requested the Associate Warden to set up a meeting with the Departments Ombudsman. AW White stated that we could just write a letter and he would forward it to the current Ombudsman. AW White asked the MAC Executive Body why we needed to meet with the Ombudsman. We explained that we have not met our ombudsman for over a year, and would just like to meet him.


POSTING MEMO FOR THIRD DAY OF VISITING

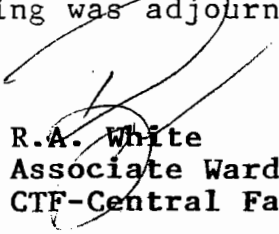
The MAC requested that the Institution put out the memorandum for the third day of visiting that was approved on July 4, 2008. AW White instructed Capt. Soares to post a memo.

OPENING FLOOR

The MAC address the situation about the single celled inmates being placed in X-wing. We also addressed if they would be receiving the same privileges that they would received on the main line. The Associate Warden stated that this was done to stabilize X-Wings population, and that those inmates would not be transfer from the prison. Captain Soares stated that all efforts are being made to facilitate a normal program for those inmates that have been moved to X-Wing.

The Executive Body expressed their appreciation for considering their agenda items. The meeting was adjourned


D. Rucker
MAC Chairman
CTF-Central Facility


R.A. White
Associate Warden
CTF-Central Facility

cc: R.A. White, Associate Warden, Central Facility
J. Soares, Central Facility Captain
MAC Members
Posting in Wings
MAC File

RECEIVED

AUG - 8 2008

AW-CEN CTF

